

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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TRACEY GERLACH

Plaintiff,

v.

Case No.: 18-cv-170

WEST REVENUE GENERATION  
SERVICES, LLC, *et. al.*

Defendant.

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**DECLARATION OF MATTHEW J. TOBIN**

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I, Matthew J. Tobin, certify under penalty of perjury that the following is true and correct to the best of my knowledge and recollection:

1. The statements set forth in this declaration are made of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters stated below.

2. I was admitted to the Bar of the State of Wisconsin in the year 2015. I am also admitted to practice before the United States District Courts for the Eastern and Western Districts of Wisconsin. Most of my professional time and efforts have involved representing employees in employment matters.

3. I worked as a Law Clerk for the employment law firm of Hawks Quindel, S.C. from approximately July 2014 to October 2015. I then worked as a Contract Attorney for the law firm of Reinhart Boerner Van Deuren, S.C. from approximately October 2015 to March 2016. I then worked in the Claims Department for Sentry Insurance from approximately April 2016 to

April 2018 where I managed Sentry's Employment Related Practices litigation insurance policies. In April 2018, I joined the law firm of Walcheske & Luzi, LLC.

4. I am a member of the Wisconsin State Bar, the Wisconsin Employment Lawyers Association, and the Wisconsin Association of Workers' Compensation Attorneys, among other organizations.

5. I have represented numerous individuals and employees in employment law matters, including matters to recover unpaid wages under both state and federal law. My professional career is devoted to employment law, including wage and hour litigation in federal court.

6. I have represented Plaintiffs in individual and class/collective action wage and hour matters in front of the United States District Court for the Eastern District of Wisconsin. I believe that I am experienced with complex federal wage and hour litigation because I have successfully represented numerous individuals in single-Plaintiff and multi-Plaintiff wage and hour actions.

7. I currently bill for my services at the rate of \$275.00 per hour for any and all work performed on employment law cases, including but not limited to wage and hour matters litigated under the FLSA and WWPCL. Through my interactions with other attorneys who practice in the area of labor and employment, I am familiar with the rates attorneys in Wisconsin charge for their work representing plaintiffs under the Fair Labor Standards Act and Wisconsin state law, as well as a plaintiff's ability to recover reasonable attorneys' fees and costs incurred in such litigation. With respect to individual and class/collective action wage and hour cases, I believe that my hourly rate is reasonable and representative of the market rate for such services on these cases.

8. I have devoted a total of 27.00 hours to the litigation and resolution of this matter, which is the sum of the hours spent on the following activities: 4.10 hours meeting, corresponding, and communicating with witnesses, potential witnesses, and similarly-situated individuals to Plaintiff; 19.90 hours reviewing, analyzing, and synthesizing the documentation and information provided by Defendants prior to the in person Mediation and creating and calculating damages models; and 3.00 hours meeting, corresponding, and communicating with Plaintiff.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of December, 2018.

**s/ Matthew J. Tobin**  
Matthew J. Tobin